

<u>Application is respectfully denied.</u>	
June 2, 2022	
SO ORDERED:	<u>Richard M. Berman</u>
Date: <u>6/7/22</u>	Richard M. Berman, U.S.D.J.

**VIA ECF**

The Honorable Judge Richard Berman  
 United States District Court Judge  
 Southern District of New York  
 500 Pearl Street  
 New York, New York 10007

**RE: *United States v. Henry Perez, 19 Cr. 880 (RMB)***

Dear Judge Berman:

We represent the defendant, Henry Perez, in connection with the post-conviction motion to correct his sentence pursuant to Federal Rule of Criminal Procedure 35. On April 12, 2022, Mr. Perez was sentenced to 88 months incarceration and was given a voluntary surrender date of June 13, 2022. Mr. Perez respectfully requests that the Court grant an adjournment of Mr. Perez's voluntary surrender date while the instant motion remains outstanding.

The defense filed the above-referenced motion on April 25, 2022, the Government filed its response on May 12, 2022 and Mr. Perez filed a reply on May 18, 2022. There is currently no scheduled date for oral argument or decision. Mr. Perez is seeking the ability to be present in the courtroom for any proceeding related to the determination of his motion. He will voluntarily surrender on whatever date the Court deems appropriate.

This is Mr. Perez's first request to adjourn his surrender date. He has been fully compliant with pre-trial services for the entirety of his case and has never been the subject of any issue or violation. Additionally, he has never failed to appear in court when required.

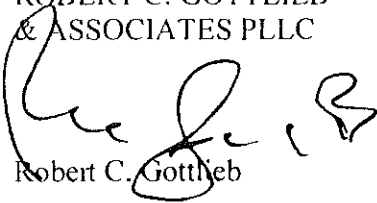
Currently, Mr. Perez lives with his partner and their daughter. He has been trying to secure suitable housing for them in New Jersey during his incarceration but has been having more difficulty than anticipated in locating an affordable and appropriate residence. Additional time would permit him to ensure that his family is being provided for while he serves his sentence.

I have spoken to pre-trial services, by Officer Stephen Boose, who indicated that pre-trial services takes no position on whether Mr. Perez should be granted an adjournment of his voluntary surrender, and who assured me that in the event that Your Honor grants the request, pre-trial services would continue to monitor Mr. Perez until the new surrender date. I have also spoken with the Government, by AUSA Michael Neff, who has indicated to me that the Government opposes Mr. Perez's application for an adjournment.

Thank you for your consideration. I am available should Your Honor wish to hold a conference on this matter.

Respectfully submitted,

ROBERT C. GOTTLIEB  
& ASSOCIATES PLLC



Robert C. Gottlieb